

# ADAMS BROADWELL JOSEPH & CARDOZO

A PROFESSIONAL CORPORATION

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August 16, 2023

### **VIA EMAIL AND U.S. MAIL**

Michael Alpern, Director of Public Affairs  
U.S. EPA Pacific Southwest, Region 9  
75 Hawthorne St.  
San Francisco, CA 94105  
**Email:** [alpern.michael@epa.gov](mailto:alpern.michael@epa.gov);  
[r9.info@epa.gov](mailto:r9.info@epa.gov)

### **VIA EMAIL ONLY**

Timothy R. Epp, FOIA Public Liaison  
**Email:** [hq.foia@epa.gov](mailto:hq.foia@epa.gov)

### **Via Online Submission**

<https://www.foia.gov/request/agency-component/84661f42-101a-4f2f-93bd-36edfb73d455/>

### **Re: Freedom of Information Act Request – Black Rock Geothermal Project**

Dear Mr. Alpern and Mr. Epp:

We are writing on behalf of California Unions for Reliable Energy (“CURE”) to request a copy of any and all public records related to the Black Rock Geothermal Project (“Project”), proposed by Black Rock Geothermal LLC, an indirect, wholly owned subsidiary of BHE Renewables, LLC (“Applicant”). This request is made pursuant to the Freedom of Information Act, 5 U.S.C. § 552 (“FOIA”).

The Project proposes to site and construct an 87 megawatt (gross) and 77 megawatt (net) renewable geothermal power plant and related facilities within the Salton Sea Known Geothermal Resource Area located near Calipatria, Imperial County, California. The Project will be located on approximately 55 acres of a 160-acre parcel (Assessor Parcel Number 020-110-008) within the unincorporated area of Imperial County, California, and is bounded by McKendry Road to the north, Severe Road to the west, and Boyle Road to the east.

This request includes, but is not limited to, copies of all applications, reports, notices, agreements, approvals, resolutions, analyses, permits, studies, comments, memorandums, notes, writings, recordings, internal or interagency

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communications, communications with consultants, and other correspondence—including emails by and between the United States Environmental Protection Agency (“U.S. EPA”), U.S. EPA Offices, the Applicant, the County of Imperial—and any other materials related to the Project. Please note that this request for copies excludes those records that are available through the Internet. If the U.S. EPA identifies such documents, we request that the U.S. EPA provide us with the links to responsive records that are available on the Internet.

CURE seeks this information for the purpose of evaluating the Project’s environmental and public health effects to inform public review of the Project pursuant to state and federal law. The requested information advances the requestor’s interest in advocating for sustainable development, and does not provide a competitive advantage. Disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government, supports public oversight of agency operations, including the effects of agency policy on public health and safety, and is not primarily in the commercial interest of the requester.<sup>1</sup>

We will pay the fees applicable to the processing of this request up to \$200.<sup>2</sup> However, please contact me at (650) 589-1660 with a cost estimate before copying/scanning the materials.

Please use the following contact information for all correspondence:

**U.S. Mail**

Sheila Sannadan  
Adams Broadwell Joseph & Cardozo  
601 Gateway Boulevard, Suite 1000  
South San Francisco, CA 94080-7037

**Email**

[ssannadan@adamsbroadwell.com](mailto:ssannadan@adamsbroadwell.com)

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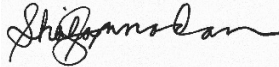
<sup>1</sup> 5 U.S.C. § 552(a)(4)(A)(iii); *McClellan Ecological Seepage Situation v. Carlucci*, 835 F.2d 1282, 1284-1286 (9th. Cir. 1987); *Friends of the Coast Fork v. U.S. Dept. of Interior*, 110 F.3d 53, 55 (9th Cir. 1997).

<sup>2</sup> 5 U.S.C. §552(a)(4)(A).

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If you have any questions, please call me at (650) 589-1660 or email me at [ssannadan@adamsbroadwell.com](mailto:ssannadan@adamsbroadwell.com). Thank you for your assistance with this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Sheila M. Sannadan", written over a light gray rectangular background.

Sheila M. Sannadan  
Legal Assistant

SMS:acp